

REMARKS

1. In response to the Office Action mailed November 28, 2007, Applicants respectfully request reconsideration. Claims 11 and 19-32 were last presented for examination. In the outstanding Office Action, claims 11, 19-21, 25-28 and 32 were rejected. Claims 22-24 and 29-31 were objected to, and claims 1-10 and 12-18 were withdrawn. By the foregoing Amendments, claims 11, 19, 22-24, 29, 30 have been amended to be in independent form or for purposes of clarification. Specially, independent claim 11 has been amended to further define the invention. No new matter has been added. Claims 1-10 and 12-18 have been cancelled. Upon entry of this paper, claims 11 and 19-32 will be pending in this application. Of these fifteen (15) claims, six (6) claims (claims 11, 22-24, 29 and 30) are independent.

2. Based upon the above Amendment and following Remarks, Applicants respectfully request that all outstanding objections and rejections be reconsidered, and that they be withdrawn.

Art of Record

3. Applicants acknowledge receipt of form PTO-892 listing additional references identified by the Examiner.

4. Applicants thank the Examiner for returning form PTO/SB/08 filed by Applicants on June 24, 2004, which has been initialed by the Examiner indicating that the Examiner has considered the references cited therein.

Priority Claim

5. Applicants note with appreciation the Examiner's acknowledgement of foreign priority under 35 U.S.C. §119.

Allowable Subject Matter

6. The Office Action states that claims 22-24 and 29-31 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. By the foregoing

amendments, claims 22, 23, 24, 29 and 30 have been rewritten in independent form, including all of the limitations of the base and intervening claims. Accordingly, Applicants respectfully request that they be allowed.

Claim Rejections under §102

7. Claims 11-19-21-25-28 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 3,852,045 to Wheeler *et al.* (hereinafter, “Wheeler”).

8. As amended above, independent claim 11 recites, in part, “A method for producing a blank made of powder..., comprising: ***g) separating the compressed powder from the punch.***” (See, Applicants’ independent claim 11, as amended, above; emphasis added.)

9. Regarding this “separating” claim element, with regard to Applicants’ dependent claim 19, the Office Asserts that Wheeler, at “column 7, lines 15-19” teaches both demolding and machining the compressed powder. (See, Office Action, pg. 3, ¶1.) In fact, Wheeler does not teach “separating” or demolding the compressed powder. At best, Wheeler teaches machining the compressed product made according to Wheeler’s invention but does not teach “separating” the compressed powder from the punch. Specifically, Wheeler states that “the impacted billet 18 is next ***machined to remove the cup 10 and the disc 12 and plate 13*** and to produce the desired machined shape in the VMC material.” (See, Wheeler, col. 7, ll. 15-19; emphasis added.)

10. Furthermore, Wheeler describes providing a “core”, as shown in Wheeler’s FIGs. 10-12, within the compacted material “***by positioning*** of the core material in the billet ***before compaction***, or can alternately be machined and bonded to the VMC material after the formation of it.” However, the core remains within the product formed and can not be viewed as being a punch as described by Applicants. Therefore this portion of Wheeler does not teach “separating” the compressed powder from the punch.

11. Also, although Wheeler teaches a “void former” which is described as being “expendable” and removed by melting or otherwise removing it through a heating step, Wheeler does not teach “separating” the compressed powder from the punch. Specifically, Wheeler states, “the ***use of heat*** is of ***particular advantage*** in that it initiates sinter bonding

between the matrix particles. *Heating can be continued upward after removal of the void former* to attain a *sintering temperature* at which solid state diffusion bonds are created.” (See, Wheeler, col. 5, ll. 33-38.)

12. Based on the remarks above, Applicants respectfully assert that Wheeler does not teach “separating” the compressed powder from the punch, as claimed by Applicants. Accordingly, Applicants requests that the rejections be reconsidered and that they be withdrawn.

Dependent claims

13. The dependent claims incorporate all the subject matter of their respective independent claims and add additional subject matter which makes them independently patentable over the art of record. Accordingly, Applicants respectfully assert that the dependent claims are also allowable over the art of record.

Conclusion

14. In view of the foregoing, this application should be in condition for allowance. A notice to this effect is respectfully requested.

15. Applicants reserve the right to pursue any cancelled claims or other subject matter disclosed in this application in a continuation or divisional application. Any cancellations and amendments of above claims, therefore, are not to be construed as an admission regarding the patentability of any claims and Applicants reserve the right to pursue such claims in a continuation or divisional application.

16. In the event that the Examiner believes that an interview would serve to advance the prosecution of this application, the undersigned is available at the number noted below.

17. Please charge any fees due with this paper to our Deposit Account No. 22-0185, under Order No. 21547-00295-US1 from which the undersigned is authorized to draw.

Dated: March 28, 2008

Respectfully submitted,

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